

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT  
SAN ANTONIO DIVISION

In re:	§	CASE NO. 20-51056-cag
	§	
HEATHER MCHENRY,	§	CHAPTER 7
	§	
Debtor.	§	

DEBTOR'S MOTION TO APPROVE SALE OF HOMESTEAD  
PROPERTY FREE AND CLEAR OF ALL LIENS AND CLAIMS

TO THE HONORABLE JUDGE CRAIG GARGOTTA:

COMES NOW DEBTOR in the above styled case, and respectfully request this Court approve the sale of Debtor's homestead property free and clear of all liens, and in support thereof would show as follows:

BACKGROUND

1. Debtor filed for bankruptcy relief on or about June 1, 2020 under Chapter 13 of the U.S. Bankruptcy Code. This case was converted to one under Chapter 7 on or about September 11, 2020.
2. Debtor is selling a house at the following address, as disclosed in Schedule A of Debtor's schedules: 602 Donaldson Ave., San Antonio, TX 78201.
3. Debtor has a Residential Contract attached as Exhibit A. Exhibit A is incorporated herein by reference.
4. Debtor's property has a mortgage which is serviced by BSI Mortgage, as disclosed in Schedule D of Debtor's schedules. The property to be sold is owned by the Debtor and has been exempted as her homestead, as disclosed in Schedule C of Debtor's Schedules.
5. The title company and its underwriters have requested an order from this Court authorizing the sale of this property.

### THE CONTRACT

6. Details of the contract are as follows:

Buyers:	Julie Michelle Wood and Rebecca Sue Carter
Property Address:	602 Donaldson Ave., San Antonio, TX 78201
Purchase Price:	\$310,000.00
Closing date (tentative):	Monday, December 7, 2020

### DISBURSEMENTS FROM SALE OF HOMESTEAD

7. Disbursements from the sale will be made as follows:

Mortgage payoff  
County Taxes, Ad valorem taxes  
Costs of sale  
Real estate commissions

### AD VALOREM TAXES

8. The ad valorem tax liens which secure payment of any and all delinquent ad valorem taxes shall remain in effect until such taxes are paid in full. The ad valorem tax liens which secure payment of the 2020 ad valorem taxes to be assessed shall remain in effect until such taxes are paid in full.

### NET PROCEEDS

9. All net proceeds at closing will be distributed to Debtor.

### PRAYER

Wherefore Debtor prays this Court approve the sale of the homestead property as herein described, free and clear of all liens and claims.

Respectfully submitted,

ADELITA CAVADA LAW  
Attorney for Debtor

/s/ Adelita Cavada  
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CERTIFICATE OF SERVICE

On this date, a true and correct copy of the foregoing was served to all parties of interest by CM/ECF notice, email notice, or by first class mail to the address listed below.

Date: 11/25/2020

/s/ Adelita Cavada

**By ECF**

US Trustee

Chapter 7 Trustee

Richard E. Anderson on behalf  
of Creditor US Bank Trust NA

Bradley S Balderrama on behalf  
of Creditor Bexar County

Angie Marie Marth on behalf of  
Creditor US Bank Trust NA